



TOWN OF RIVERHEAD

New York

Laura Jens-Smith
Chairman

Jodi Giglio
Member

Tim Hubbard
Member

Catherine Kent
Member

James Wooten
Member

Diane Wilhelm
Town Clerk

CDA Regular Meeting Agenda Thursday, January 3, 2019 – 2:00 PM

I. Call to Order

II. RESOLUTIONS

1. CDA-2019-1 **Resolution to Accept Deed from Town of Riverhead Transferring Title and Ownership of a Portion of EPCAL Property Described as Sctm #0600-135-1-7.4 to Correct and Reflect Community Development Agency as Legal Entity/Grantee to Accept Title Pursuant to Public Law 102-484 at Section 2854 as Amended by Public Law 103-337 Sec. 2833**
2. CDA-2019-2 **Appoints Members & Officers of Community Development Agency**
3. CDA-2019-3 **Ratifies Omnibus Resolution Relating to Requirements of the Public Authorities Accountability Act of 2005 as Amended**
4. CDA-2019-4 **Adopts Rules and Procedures for Community Development Agency Meetings**
5. CDA-2019-5 **Adopts Policy for Open Meetings Law for the Town of Riverhead Community Development Agency**
6. CDA-2019-6 **Establishes Time of Regular Meetings of the Community Development Agency**

III. ADJOURNMENT

01.03.2019

ADOPTED

TOWN OF RIVERHEAD

CDA Resolution CDA-2019-1

RESOLUTION TO ACCEPT DEED FROM TOWN OF RIVERHEAD TRANSFERRING TITLE AND OWNERSHIP OF A PORTION OF EPCAL PROPERTY DESCRIBED AS SCTM #0600-135-1-7.4 TO CORRECT AND REFLECT COMMUNITY DEVELOPMENT AGENCY AS LEGAL ENTITY/GRANTEE TO ACCEPT TITLE PURSUANT TO PUBLIC LAW 102-484 AT SECTION 2854 AS AMENDED BY PUBLIC LAW 103-337 SEC. 2833

Councilman Wooten offered the following resolution,
which was seconded by Councilman Hubbard

WHEREAS, the Town of Riverhead Community Development Agency was created pursuant to Title 116 of the General Municipal Law Section 680-c and established for the accomplishment of any or all of the purposes specified in Articles 15 and 15A of the General Municipal Law for the benefit of the Town of Riverhead and the inhabitants thereof; and

WHEREAS, the property formerly known as Naval Weapons Industrial Reserve Plant ("NWIRP") and now commonly known and referred to as Enterprise Park at Calverton "EPCAL" was acquired by the United States Navy in 1952; and

WHEREAS, in 1996, after more than 40 years of operation at the Calverton site and due to the decline in defense spending, the Grumman Corporation (later known as Northrop Grumman Corporation and hereinafter referred to as Northrop Grumman) closed nearly all facilities located on Long Island and chose not to renew its lease for EPCAL; and

WHEREAS, pursuant to Public Law 102-484 at Section 2854 as amended by Public Law 103-337 Sec. 2833, authorized "the Secretary of the Navy may convey, without consideration, to the Community Development Agency of the Town of Riverhead" 2,913 acres known as EPCAL contingent upon the reuse of the property for economic development; and

WHEREAS, a portion of the EPCAL property was retained, by the Navy for required remediation necessary to protect human health and the environment with respect to any hazardous substance remaining on the property, Title 42 United States Code Section 9620(h)(3)(A), and as each area of the property is successfully remediated, the property is to be transferred to the Community Development Agency; and

WHEREAS, approximately 144 acres, more formally described as SCTM# 0600-135-1-7.4, were successfully remediated by the United States Navy and thereafter, erroneously transferred to the Town of Riverhead rather than the Community Development as required by Public Law 102-484 at Section 2854 as amended by Public Law 103-337 Sec. 2833; and

NOWHEREFORE BE IT RESOLVED, the Town Board, as governing body of the Community Development Agency, hereby authorizes the Supervisor and/or Director of Community Development Agency, as the case may be, to execute all required documents to transfer property from the Town of Riverhead to the Town of Riverhead Community Development Agency necessary to correct and reflect Community Development Agency as legal entity to accept title and deed to SCTM #0600-135-1-7.4 from the United States Navy; and

BE IT FURTHER RESOLVED, that the Office of the Town Attorney is directed to prepare deed and all transfer documents to effectuate deed transfer recited above; and

BE IT FURTHER RESOLVED, to the extent there are any transfer or recording costs necessary and related to the deed transfer, the Financial Administrator is authorized to transfer or release funds from Community Development Agency necessary to satisfy all said costs; and

RESOLVED, all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

FISCAL IMPACT STATEMENT OF PROPOSED RIVERHEAD TOWN BOARD LEGISLATION

A. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law		
Title of Proposed Legislation: RESOLUTION TO ACCEPT DEED FROM TOWN OF RIVERHEAD TRANSFERRING TITLE AND OWNERSHIP OF A PORTION OF EPCAL PROPERTY DESCRIBED AS SCTM #0600-135-1-7.4 TO CORRECT AND REFLECT COMMUNITY DEVELOPMENT AGENCY AS LEGAL ENTITY/GRANTEE TO ACCEPT TITLE PURSUANT TO PUBLIC LAW 102-484 AT SECTION 2854 AS AMENDED BY PUBLIC LAW 103-337 SEC. 2833		
B.		
C. Purpose of Proposed Legislation: Accept transfer of Real Property through a Correction Deed		
D. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No <input checked="" type="checkbox"/>		
E. If the answer to section D is "yes", select (a) or (b) below and initial or detail as applicable:		
<p>(a) The fiscal impact can be absorbed by Town/department existing resources set forth in approved Town Annual Budget (example: routine and budgeted procurement of goods/services)*if selecting E(a), please initial then skip items F,G and complete H,I and J;</p> <p style="text-align: center;">or</p> <p>(b) The description/explanation of fiscal impact is set forth as follows:</p>		
F. If the answer to E required description/explanation of fiscal impact (E(b)), please describe total Financial Cost of Funding over 5 Years		
G. Proposed Source of Funding Appropriation Account to be Charged: Grant or other Revenue Source: Appropriation Transfer (list account(s) and amount):		
H. Typed Name & Title Preparer: Dawn Thomas	I. Signature of Preparer Dawn Thomas Dawn Thomas, Community Development 1/3/2019	J. Date 12/21/18
K. Accounting Staff Name & Title	L. Signature of Accounting Staff	M. Date

01.03.2019

ADOPTED

TOWN OF RIVERHEAD**CDA Resolution CDA-2019-2****APPOINTS MEMBERS & OFFICERS OF COMMUNITY DEVELOPMENT AGENCY**

Councilman Hubbard offered the following resolution,
which was seconded by Councilwoman Kent

WHEREAS, pursuant to Article 15-A and 15-B of the General Municipal Law, and pursuant to the Town of Riverhead Municipal Home Rule Request, Assembly Bill #6115 and Senate Bill #3418, and pursuant to Law signed by the governor on July 13, 1982, Title 116 of the General Municipal Law was enacted thereby establishing the “Town of Riverhead Community Development Agency;” and

WHEREAS, Resolution #1 (1982) - Community Development Agency of the Riverhead Community Development Agency adopted, ratified and approved By-Laws stipulating the structure and organization of the Community Development Agency; and

WHEREAS, the By-Laws of the Riverhead Community Development Agency stipulate that the Agency shall consist of five (5) members, including the Supervisor, who shall be its Chairman, and the four Town Board Members, or their respective successors to office; and

WHEREAS, the By-Laws of the Riverhead Community Development Agency further stipulate that the officers of the Agency shall be a Chairman (Supervisor), a Vice- Chairman who shall perform the duties of the Chairman in the absence or incapacity of the Chairman, and a Secretary-Treasurer who shall also be the Director; and

WHEREAS, to ensure proper functioning of the Agency, in order to undertake certain Urban Renewal activities, annual clarification of those members and officers currently serving the Riverhead Community Development Agency is appropriate; and

WHEREAS, since 1982 the CDA has operated as the economic development agency of the Town of Riverhead and as such undertook the development of the aquarium, downtown revitalization and public improvements including the Vail Leavitt restoration, pursuant to the East Main Street Urban Renewal Plan; Railroad Station restoration and urban renewal activities on Railroad Avenue, including the solicitation of the county court room expansion for Riverhead, pursuant to the Railroad Avenue Urban Renewal Plan; affordable housing and neighborhood revitalization pursuant to the Millbrook Gables Urban Renewal Plan and the acquisition and redevelopment of the Naval Weapons Industrial Reserve Plant (Calverton Enterprise Park) based on Congressional recognition of the CDA as the town’s “economic development agency” in Public Law 103-c337 and pursuant to the Calverton Urban Renewal Plan; and

WHEREAS, the CDA pursued and secured among other funding \$4.8 million in funds from the New York State Department of Transportation under the American

Reinvestment and Recovery Act for rehabilitation of the Calverton Rail Spur and \$1.8 million in funds from the U.S. Department of Commerce Economic Development Administration for the extension of public water to the Calverton site to increase its economic development potential, as well as additional funding to support other site improvements.

NOW THEREFORE BE IT RESOLVED, that the current members of the Riverhead Community Development Agency are: Laura Jens-Smith, James Wooten, Jodi Giglio, Timothy Hubbard and Catherine Kent, and be it further

RESOLVED, that the Riverhead Community Development Agency hereby appoints the following officers of the Agency: Laura Jens-Smith as Chairwoman, Deputy Supervisor as Vice-Chairman and Dawn C. Thomas as Director, Secretary-Treasurer, and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the New York State Office of State Comptroller, and an electronic copy to the CDA, and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

**FISCAL IMPACT STATEMENT
OF PROPOSED RIVERHEAD TOWN BOARD LEGISLATION**

A. Type of Legislation Resolution _____ Local Law		
B. Title of Proposed Legislation: Appoints Members & Officers of Community Development Agency		
C. Purpose of Proposed Legislation:		
D. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No		
E. If the answer to section D is "yes", select (a) or (b) below and initial or detail as applicable:		
(a) The fiscal impact can be absorbed by Town/department existing resources set forth in approved Town Annual Budget (example: routine and budgeted procurement of goods/services)*if selecting E(a), please initial then skip items F,G and complete H,I and J;		
or		
(b) The description/explanation of fiscal impact is set forth as follows:		
F. If the answer to E required description/explanation of fiscal impact (E(b)), please describe total Financial Cost of Funding over 5 Years		
G. Proposed Source of Funding Appropriation Account to be Charged: Grant or other Revenue Source: Appropriation Transfer (list account(s) and amount):		
H. Typed Name & Title of Preparer: Dawn Thomas	I. Signature of Preparer <div style="text-align: center; font-size: 24pt; font-weight: bold;">Dawn Thomas</div> <div style="text-align: center; font-size: 10pt;">Dawn Thomas, Community Development 1/3/2019</div>	J. Date 12/20/18
K. Accounting Staff Name & Title	L. Signature of Accounting Staff	M. Date

01.03.2019

ADOPTED

TOWN OF RIVERHEAD

CDA Resolution CDA-2019-3

RATIFIES OMNIBUS RESOLUTION RELATING TO REQUIREMENTS OF THE PUBLIC AUTHORITIES ACCOUNTABILITY ACT OF 2005 AS AMENDED

Councilwoman Kent offered the following resolution,
which was seconded by Councilman Wooten

NOW, THEREFORE, BE IT RESOLVED that the CDA board hereby ratifies the Governance Committee, as described in the Charter of the Governance Committee adopted by CDA Resolution #2 on January 7, 2018, the responsibility of the members of which shall be primarily, to keep the Board informed of current best governance practices, to review corporate governance trends, to update the CDA's corporate governance principles and to advise appointing persons on the skills and experiences required of potential Board members; and be it further

RESOLVED that there is hereby ratified an Audit Committee, as described in the Charter of the Audit Committee CDA Resolution #2 on January 17, 2018, the responsibility of the members of which shall be primarily to become familiar with corporate financial and accounting practices to the extent practicable, to recommend to the Board the hiring of an independent certified public accounting firm ("**Independent Auditor**"), to establish the compensation to be paid to the Independent Auditor and to provide direct oversight of the performance of the independent annual audit performed by the Independent Auditor; and be it further

RESOLVED that Supervisor Laura Jens-Smith and Councilwoman Catherine Kent are appointed to the Governance Committee and shall serve at the pleasure of the Board; and be it further

RESOLVED that Town Financial Administrator, William Rothaar; Supervisor, Laura Jens-Smith and Councilwoman, Catherine Kent are appointed to the Audit Committee and shall serve at the pleasure of the Board; and be it further

RESOLVED that the Town Attorney is hereby appointed as the CDA's Contracting Officer for real property dispositions; and be it further

RESOLVED that the Financial Administrator is hereby appointed as the CDA's Chief Financial Officer as well as Contracting Officer for personal property dispositions; and be it further

RESOLVED that the Board ratifies the following policies, procedures and guidelines previously adopted by the Board as attached to CDA Resolution #2 adopted on January 17, 2018 as follows:

- The comprehensive investment policies, procedures and guidelines;

- Policies regarding the payment of salary, compensation and reimbursements to, and rules for the time and attendance of, the President and senior management;
- CDA whistleblowing policies and procedures;
- Policies and procedures related to the acquisition and disposition of real property;
- Policies and procedures related to the disposition of personal property;
- The defense and indemnification policy for Directors;
- CDA travel policies and procedures; and be it further

RESOLVED that the Board amends the following policies, procedures and guidelines attached as follows:

- Policies and procedures related to the procurement of goods and services; and be it further
- The Code of Ethics for Directors and non-salaried officers

RESOLVED that the Board adopts the following attached policy as follows:

- Open Meetings Law, and be it further

RESOLVED that the CDA's salaried officers and employees shall be subject to the restrictions and standards set forth in Section 74 of the Public Officers Law, which restrictions shall serve as the code of ethics for the CDA's salaried officers and employees; and be it further

RESOLVED that the CDA shall not, directly or indirectly, including through any subsidiary, extend or maintain credit, arrange for the extension of credit, or renew an extension of credit, in the form of a personal loan to or for any officer, Board member or employee (or equivalent thereof) of the CDA.

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the New York State Office of State Comptroller, and an electronic copy to the CDA.

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

FISCAL IMPACT STATEMENT OF PROPOSED RIVERHEAD TOWN BOARD LEGISLATION

A. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law
Title of Proposed Legislation: {ResTitle RATIFIES OMNIBUS RESOLUTION RELATING TO REQUIREMENTS OF THE PUBLIC AUTHORITIES ACCOUNTABILITY ACT OF 2005 AS AMENDED
B. Purpose of Proposed Legislation: adopts policies
C. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No <input checked="" type="checkbox"/>
D. If the answer to section D is "yes", select (a) or (b) below and initial or detail as applicable: <div style="margin-left: 20px;">(a) The fiscal impact can be absorbed by Town/department existing resources set forth in approved Town Annual Budget (example:routine and budgeted procurement of goods/services)*if selecting E(a), please initial then skip items F,G and complete H,I and J;</div> <div style="margin-left: 100px; text-align: center;">or</div> <div style="margin-left: 20px;">(b) The description/explanation of fiscal impact is set forth as follows:</div>
E. If the answer to E required description/explanation of fiscal impact (E(b)), please describe total Financial Cost of Funding over 5 Years
F. Proposed Source of Funding Appropriation Account to be Charged: Grant or other Revenue Source: Appropriation Transfer (list account(s) and amount):

{VAR FIS}

01.03.2019

ADOPTED

TOWN OF RIVERHEAD

CDA Resolution CDA-2019-4

ADOPTS RULES AND PROCEDURES FOR COMMUNITY DEVELOPMENT AGENCY MEETINGS

Councilman Wooten offered the following resolution,
which was seconded by Councilman Hubbard

WHEREAS, pursuant to Article 15-A and 15-B of the General Municipal Law, and pursuant to the Town of Riverhead Municipal Home Rule Request, Assembly Bill #6115 and Senate Bill #3418, and pursuant to Law signed by the governor on July 13, 1982, Title 116 of the General Municipal Law was enacted thereby establishing the “Town of Riverhead Community Development Agency;” and

WHEREAS, Resolution #1 (1982) – Community Development Agency of the Riverhead Community Development Agency adopted, ratified and approved By-Laws stipulating the structure and organization of the Community Development Agency; and

WHEREAS, the By-Laws of the Riverhead Community Development Agency stipulate that the Agency shall consist of five (5) members, including the Supervisor, who shall be its Chairman, and the four Town Board Members, or their respective successors to office; and

WHEREAS, the By-Laws of the Riverhead Community Development Agency further stipulate that the officers of the Agency shall be a Chairman (Supervisor), a Vice-Chairman who shall perform the duties of the Chairman in the absence or incapacity of the Chairman, and a Secretary-Treasurer who shall also be the Director; and

WHEREAS, to ensure proper functioning of the Agency, in order to undertake certain Urban Renewal activities, annual clarification of those members and officers currently serving the Riverhead Community Development Agency is appropriate; and

WHEREAS, since 1982 the CDA has operated as the economic development agency of the Town of Riverhead and as such undertook the development of the aquarium, downtown revitalization and public improvements including the Vail Leavitt restoration, pursuant to the East Main Street Urban Renewal Plan; Railroad Station restoration and urban renewal activities on Railroad Avenue, including the solicitation of the county court room expansion for Riverhead, pursuant to the Railroad Avenue Urban Renewal Plan; affordable housing and neighborhood revitalization pursuant to the Millbrook Gables Urban Renewal Plan and the acquisition and redevelopment of the Naval Weapons Industrial Reserve Plant (Calverton Enterprise Park) based on Congressional recognition of the CDA as the town’s “economic development agency” in Public Law 103-c337 and pursuant to the Calverton Urban Renewal Plan; and

WHEREAS, the CDA pursued and secured among other funding \$4.8 million in funds from the New York State Department of Transportation under the American Reinvestment and Recovery Act for rehabilitation of the Calverton Rail Spur and \$1.8 million in funds from the U.S. Department of Commerce Economic Development Administration for the extension of public water to the Calverton site to increase its economic development potential, as well as additional funding to support other site improvements.

NOW THEREFORE BE IT RESOLVED, that the current members of the Riverhead Community Development Agency are: Laura Jens-Smith, James Wooten, Jodi Giglio, Timothy Hubbard and Catherine Kent.

AND BE IT FURTHER RESOLVED, that the Riverhead Community Development Agency hereby appoints the following officers of the Agency: Laura Jens-Smith as Chairwoman, Deputy Supervisor as Vice-Chairman and Dawn C. Thomas as Director, Secretary-Treasurer.

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the New York State Office of State Comptroller, and an electronic copy to the CDA.

AND BE IT FURTHER RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

FISCAL IMPACT STATEMENT OF PROPOSED RIVERHEAD TOWN BOARD LEGISLATION

A. Type of Legislation Resolution _____ Local Law		
B. Title of Proposed Legislation: Adopts Rules and Procedures for Community Development Agency Meetings		
C. Purpose of Proposed Legislation:		
D. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No		
E. If the answer to section D is "yes", select (a) or (b) below and initial or detail as applicable:		
(a) The fiscal impact can be absorbed by Town/department existing resources set forth in approved Town Annual Budget (example: routine and budgeted procurement of goods/services)*if selecting E(a), please initial then skip items F,G and complete H,I and J;		
or		
(b) The description/explanation of fiscal impact is set forth as follows:		
F. If the answer to E required description/explanation of fiscal impact (E(b)), please describe total Financial Cost of Funding over 5 Years		
G. Proposed Source of Funding Appropriation Account to be Charged: Grant or other Revenue Source: Appropriation Transfer (list account(s) and amount):		
H. Typed Name & Title of Preparer: Dawn Thomas	I. Signature of Preparer <div style="text-align: center;">  <u>Dawn Thomas</u> <small>Dawn Thomas, Community Development 1/3/2019</small> </div>	J. Date 12/20/18
K. Accounting Staff Name & Title	L. Signature of Accounting Staff	M. Date

RULES OF THE COMMUNITY DEVELOPMENT AGENCY OF THE TOWN OF RIVERHEAD

RULE I. REGULAR MEETINGS

Unless otherwise changed, the Community Development Agency shall meet once, on the first Tuesdays of each month, at the same date and approximate time as regularly scheduled Town Board meetings are held; except January, when the first Agency meeting will be either on January 2nd at 2:00 PM or at 2:00 PM the first business day following the January 1st holiday. In the event a meeting falls on a holiday then the meeting will be held at the same time on the business day following. Work-session meetings will be held on Thursdays commensurate with Town Board Work-session meetings.

RULE II. SPECIAL MEETINGS

Special meetings shall meet at the call of the Chairperson or any of the three members of the Agency. At such special meeting, no business other than that named in the notice of the meeting shall be transacted. The Chairperson shall give written notice of the date, time and place for the Special Meeting as well as a list of the items to be discussed at such Special Meeting, no later than twenty-four (24) hours prior to such meeting by fax, email or personal delivery. A Special Meeting cannot be held until each Community Development Agency Member has been duly served with a notice of such Special Meeting.

RULE III. QUORUM

The majority of the Community Development Agency shall constitute a quorum

RULE IV. PRESIDING OFFICER

The Chairperson shall preside as Chairman at all meetings of the Community Development Agency, but in his/her absence or inability to serve, the Deputy Chairperson shall act as presiding officer, and shall so serve until the return of the Chairperson.

RULE V. THE POWERS AND DUTIES OF THE PRESIDING OFFICER

The presiding officer shall possess the following power and perform the following duties: A. He shall preserve order and decorum. B. He shall set the agenda

RULE VI. ORDER OF BUSINESS

1. Public Presentation/Agenda Items 2. Approval of the Minutes of the preceding meeting(s) 3. Miscellaneous Communications 4. Committee Reports 5. Public Hearings 5. Public comment on Resolutions 6. 10. Introduction of an Action Upon Resolutions 7. Adjournment

RULE VII. PERMISSION FOR PUBLIC TO SPEAK BEFORE THE COMMUNITY DEVELOPMENT AGENCY

Prior to the introduction Resolutions, the Chairperson may allow any member of the audience to speak for not more than 5 minutes upon terms and conditions that the Chairperson may, from time to time, prescribe in relation to Resolutions which are on the agenda, but not scheduled for Public Hearings. Any such person may also speak at Public Hearings and at meetings of duly constituted committees of the Agency at the invitation of the Chairman and upon such terms and conditions as the Chairman may, from time to time, prescribe. No member of the public shall engage in any disruptive demonstration or otherwise disrupt the formality of a Community Development Agency meeting. Persons addressing the

Community Development Agency shall state their name and home address, and shall state their business or question.

RULE VIII. DEBATE

he rules governing debate shall be as follows: A. Debate shall not begin on debatable motion until it has been moved by a Community Development Agency member and seconded by another Community Development Agency member. B. The Chairperson may offer or second a resolution or a motion and need not relinquish the chair for such purpose. C. No member shall speak more than once on any questions until every member choosing to speak shall have spoken, nor more than twice in any case without leave of the Agency.

RULE IX. DEBATABLE MOTIONS

Debatable motions shall be as follows: A. The Main Motion. The main motion is a motion by itself or one to adopt a Local Law or Resolution before the Community Development Agency. It may be amended and requires a majority vote except where otherwise required by law or these rules. A motion may be withdrawn by its proposer at any time before a vote is taken. B. An Amendment to the Main Motion or an Amendment of Such Amendment. An amendment is a motion to change or modify the main motion or an amendment of it. An amendment shall not be amended more than once. Amendments shall be disposed of in inverse order before voting on the main motion and requires a majority vote. C. To Commit. This motion is used to refer a matter to committee or back to committee. The motion may be amended and requires a majority vote.

RULE X. MOTIONS WITHOUT DEBATE

The following motions are not debatable. A. To Table. This motion is used to postpone a subject under discussion to sometime in the near future. It is not amendable and requires a majority vote. When a subject is to be reconsidered, a motion is in order to remove the matter from the table. B. To Adjourn. The Chairman may adjourn the meeting when all agenda items are completed. A Agency member may also move to adjourn. This motion is always in order except when a speaker has the floor, during roll call or immediately after it has been voted down. It requires a majority vote. C. The Previous Question. This motion is used to closed debate and may be made by any Community Development Agency member when debate has become long and drawn out. It is made in the following manner: "Mr. Chairperson, I move the previous question." Without a second, the presiding officer then asks the Members of the Community Development Agency, "Shall debate be closed and the question now be put?" The Clerk then calls the full roll, and if the majority of those present vote in the affirmative, the question under debate and then before the Members of the Community Development Agency is immediately voted upon in the usual manner without further debate.

RULE XI. PROCEDURE ON RESOLUTIONS

Except as otherwise provided by law, the passage of a Resolution requires the affirmative vote of a majority of the members present at the meeting which action is taken. Any resolution to be introduced by any Community Development Agency member at a scheduled meeting of the Community Development Agency shall be filed in the office of the Town Clerk by 4:00 PM on the business day prior to said Community Development Agency meeting. Any resolutions legally submitted to the Town Clerk that were not presented at work-session and that will be presented at the Community Development

Agency meeting shall be delivered to each Agency Member as soon as possible after being submitted to the Town Clerk. Furthermore, where said Community Development Agency meeting is to commence at a time other than 2:00 PM or 6:00 PM (alternating), the said Resolutions to be introduced at the meeting shall be filed at the Office of the Town Clerk at least 24 hours in advance of said meeting. The Rules of Order set forth above may be waived only by the majority consent of all Members of the Community Development Agency present at any such meeting. Upon the affirmative vote of the five (5) members (unanimous) of the Community Development Agency, new items may be added to the Agenda during any Regular or Special Community Development Agency Meeting. After the agenda has been prepared, new items may be added during any Regular or Special Community Development Agency Meeting; such new items shall be designated as "Items Proposed for Consideration upon Special Consent."

RULE XII. CONSTITUTION OF COMMITTEES

The following standing committees consisting of three members shall be appointed by the Chairperson at the Organizational Meeting of the Community Development Agency or as soon thereafter as may be practical. 1. Community Development Agency Finance Committee; and 2. The Community Development Agency Audit Committee. 3. Community Development Governance Committee. The first named member of each committee shall be Chairman. The Chairperson shall be a non-voting ex officio member of every committee.

RULE XIII. QUORUM AND REPORTS OF COMMITTEES

Two members shall constitute a quorum. Where practical, reports of committees should be in writing and signed by at least two members.

RULE XVI. COMMITTEE MEETINGS

Standing Committees shall meet at the call of their Chairman or any of the three members. The Chairman of each Standing Committee shall have delivered to Committee members a two day notice, in writing, stating the time, the place and the purpose of the Committee meeting. Every Community Development Agency member has the right to attend any Standing Committee meeting called whether a designated member of that Standing Committee or not.

RULE XVII. SUSPENSION OF RULES

Any rule of the Community Development Agency except as otherwise specifically provided in such rules may be temporarily suspended by a vote of the majority of all the members present unless such rule is prescribed in by State of Local Law.

RULE XVIII.

AMENDMENT, MODIFICATION OR REPEAL OF RULES Permanent amendment, modification or repeal of the rules in whole or in part may be made at any time by a Resolution of the Community Development Agency at a regular or special meeting.

01.03.2019

ADOPTED

TOWN OF RIVERHEAD**CDA Resolution CDA-2019-5****ADOPTS POLICY FOR OPEN MEETINGS LAW FOR THE TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY**

Councilman Hubbard offered the following resolution,
which was seconded by Councilwoman Kent

WHEREAS, at its October 18, 2018 meeting, the Town of Riverhead Community Development Agency Governance Committee recommended that the agency adopt an Open Meetings Law policy to facilitate the agency's compliance with NYS Public Officers Law; and

WHEREAS, The Town of Riverhead Community Development Agency wishes to adopt a policy to provide specific guidelines for compliance with the New York State Open Meetings Law as recommended by the Town of Riverhead Community Development Agency Governance Committee.

NOW THEREFORE BE IT RESOLVED that Town of Riverhead Community Development Agency hereby adopts the attached Open Meetings Law Policy; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

FISCAL IMPACT STATEMENT OF PROPOSED RIVERHEAD TOWN BOARD LEGISLATION

A. Type of Legislation Resolution _____ Local Law		
B. Title of Proposed Legislation: Adopts Policy for Open Meetings Law for the Town of Riverhead Community Development Agency		
C. Purpose of Proposed Legislation:		
D. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No		
E. If the answer to section D is "yes", select (a) or (b) below and initial or detail as applicable:		
<p>(a) The fiscal impact can be absorbed by Town/department existing resources set forth in approved Town Annual Budget (example: routine and budgeted procurement of goods/services)*if selecting E(a), please initial then skip items F,G and complete H,I and J;</p> <p style="text-align: center;">or</p> <p>(b) The description/explanation of fiscal impact is set forth as follows:</p>		
F. If the answer to E required description/explanation of fiscal impact (E(b)), please describe total Financial Cost of Funding over 5 Years		
G. Proposed Source of Funding Appropriation Account to be Charged: Grant or other Revenue Source: Appropriation Transfer (list account(s) and amount):		
H. Typed Name & Title of Preparer: Dawn Thomas	I. Signature of Preparer Dawn Thomas Dawn Thomas, Community Development	J. Date 1/3/2019
K. Accounting Staff Name & Title	L. Signature of Accounting Staff	M. Date

**PUBLIC ACCESS TO MEETINGS OF
TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY**

Section 1 Purpose and scope:

- (a) The people's right to witness and observe the governmental decision-making process in action is basic to our society. Access to public portions of meetings of public bodies must be protected and maintained.
- (b) We adopt these guidelines in order to provide direction concerning the procedures by which public meetings of this public body may be photographed, recorded and broadcast.

Section 2 Incorporation of Public Officers Law, Article 7

- (a) The Community Development Agency hereby incorporates the provisions of the NYS Open Meetings Law (Public Officers Law, Article 7) in their entirety by reference.

Section 3 Recording and Broadcasting Public Portions of Meetings:

- (a) The public portion of any meeting of a public body may be photographed, recorded and broadcast.
- (b) A public body may adopt reasonable rules governing the location of equipment and personnel used to photograph, record or broadcast the public portion of a meeting in order to ensure that the use of such equipment does not detract from or interfere with the deliberative process.
- (c) There is no privacy interest in statements made during public portions of meetings of public bodies. Distaste or embarrassment shall not constitute a basis for prohibiting or limiting the photographing, recording or broadcasting of those present at a meeting.

Section 4 Rules for Recording and Broadcasting Public Portions of Meetings:

- (a) Operation of equipment to photograph, record or broadcast a meeting is permitted unless it is obtrusive, disruptive, or interferes with the deliberative process or the right of persons in attendance to observe or listen to the proceedings.
- (b) Use of equipment necessary to photograph, record or broadcast is permitted without notice to or express permission from the public body or those in attendance at the meeting.
- (c) Use of equipment necessary to photograph, record or broadcast is permitted in a supervised or unsupervised manner.
- (d) Use of special lighting or large equipment necessary to photograph, record or broadcast a meeting is permitted unless it is obtrusive or disruptive.
- (e) Personnel who operate equipment necessary to photograph, record and/or broadcast a meeting shall be permitted to move about the room, as long as such movement does not disrupt or interfere with the deliberative process.
- (f) Use of equipment necessary to photograph, record and/or broadcast a meeting shall not be limited to a location from which such equipment is not reasonably capable of photographing, recording and/or broadcasting.
- (g) Persons operating equipment necessary to photograph, record and/or broadcast shall be given a reasonable opportunity to modify their actions in order to avoid interference with the deliberative process.

Section 5 Public notice:

- (a) Public notice of the time and place of a meeting scheduled at least one week prior thereto shall be given or electronically transmitted to the news media and shall be conspicuously posted in one or more designated public locations at least seventy-two hours before such meeting.
- (b) Public notice of the time and place of every other meeting shall be given or electronically transmitted, to the extent practicable, to the news media and shall be conspicuously posted in one or more designated public locations at a reasonable time prior thereto.
- (c) The public notice provided for by this section shall not be construed to require publication as a legal notice.
- (d) If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, identify the locations for the meeting, and state that the public has the right to attend be meeting at any of the locations.

(e) If a meeting will be streamed live over the internet, the public notice for the meeting shall inform the public of the internet address of the website streaming such meeting.

(f) When a public body has the ability to do so, notice of the time and place of a meeting given in accordance with subdivision one or two of this section, shall also be conspicuously posted on the public body's internet website. These rules governing the operation of equipment necessary to photograph, record or broadcast a meeting shall be posted in a designated location. Written copies of such rules shall be provided upon request, free of charge, to those in attendance at or who seek to attend a meeting.

Section 6 Severability:

If any provision of these guidelines or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of these regulations or the application thereof to other persons and circumstances.

01.03.2019

ADOPTED

TOWN OF RIVERHEAD**CDA Resolution CDA-2019-6****ESTABLISHES TIME OF REGULAR MEETINGS OF THE COMMUNITY
DEVELOPMENT AGENCY**

Councilwoman Kent offered the following resolution,
which was seconded by Councilman Hubbard

WHEREAS, that during the year 2019, all regular meetings of the Community Development Agency will be held bi-monthly at Town Hall; to be held on the first Tuesday of the month. Exceptions include: Thursday, January 3, 2019, September 4, 2019 and November 6, 2019 which will be held on Wednesdays at 2:00 p.m.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached notice in the January 17, 2019 issue of the News-Review Newspaper. The newspaper is hereby designated as official newspaper for this purpose, and to post same on the signboard in Town Hall; and it be further

RESOLVED, all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

MEETING DATE	MEETING PLACE	MEETING TIME
January 3, 2019 (THUR)	Town Hall	2:00 p.m.
February 5, 2019	Town Hall	2:00 p.m.
March 5, 2019	Town Hall	2:00 p.m.
April 2, 2019	Town Hall	2:00 p.m.
May 7, 2019	Town Hall	2:00 p.m.
June 4, 2019	Town Hall	2:00 p.m.
July 2, 2019	Town Hall	2:00 p.m.
August 6, 2019	Town Hall	2:00 p.m.
September 4, 2019 (WED)	Town Hall	2:00 p.m.
October 1, 2019	Town Hall	2:00 p.m.
November 6, 2019 (WED)	Town Hall	2:00 p.m.
December 3, 2019	Town Hall	2:00 p.m.

FISCAL IMPACT STATEMENT OF PROPOSED RIVERHEAD TOWN BOARD LEGISLATION

A. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law		
B. Title of Proposed Legislation: Establishes Time of Regular Meetings of the Community Development Agency ESTABLISHES TIME OF REGULAR MEETINGS OF THE Community Development Agency		
C. Purpose of Proposed Legislation:		
D. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No <input checked="" type="checkbox"/>		
E. If the answer to section D is "yes", select (a) or (b) below and initial or detail as applicable:		
(a) The fiscal impact can be absorbed by Town/department existing resources set forth in approved Town Annual Budget (example: routine and budgeted procurement of goods/services)*if selecting E(a), please initial then skip items F,G and complete H,I and J;		
or		
(b) The description/explanation of fiscal impact is set forth as follows:		
F. If the answer to E required description/explanation of fiscal impact (E(b)), please describe total Financial Cost of Funding over 5 Years		
G. Proposed Source of Funding Appropriation Account to be Charged: Grant or other Revenue Source: Appropriation Transfer (list account(s) and amount):		
H. Typed Name & Title of Preparer: Dawn Thomas	I. Signature of Preparer <div style="text-align: center;">  Dawn Thomas, Community Development 1/3/2019 </div>	J. Date 1/02/19
K. Accounting Staff Name & Title	L. Signature of Accounting Staff	M. Date